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GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES

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Director

DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
CONSTANCE K. LUNDBERG
EDWARD T. BECK
E. STEELE McINTYRE

December 16, 1980

REGISTERED RETURN RECEIPT REQUESTED

Mr. Ben Grimes
Plateau Mining Company
P. O. Box PMC
Price, Utah 84501

ACT/007/006

RE: Assessment Conference
Report and Assessment of
Civil Penalty, Violation
No. N80-1-1-10

Dear Mr. Grimes:

Enclosed please find the Division's Assessment Conference Report concerning violations of the Utah Coal Mining and Reclamation Act, UCA, 40-10-1, et seq., at the Star Point Mine, Carbon County, Utah. The civil penalty of \$1,920.00 is hereby assessed by the Board of Oil, Gas and Mining unless you apply for review and public hearing before the Board within 30 days of receipt of this letter and the Assessment Conference Report.

Should you choose not to seek a public hearing concerning this matter, the civil assessment must be paid to the Division within 30 days of receipt of this letter and the Assessment Conference Report.

Please contact the Division if you have any questions or informational needs.

Sincerely,

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

cc: Inspector
Assessment Officer

Enclosure

RWD/btm

ASSESSMENT CONFERENCE REPORT
 Utah Division of Oil, Gas & Mining
 1588 West North Temple
 Salt Lake City, Utah

NOV/XX No. N80-1-1-10

Location of Conference: Salt Lake City, Utah

Date of Conference: December 2, 1980

Company Name/Mine Name: Plateau Mining Company/Star Point--ACT/007/006

<u>Persons in Attendance</u>	<u>Title</u>
<u>Ben Grimes--Plateau Mining Company</u>	<u>Joe Roden--Getty Oil Company</u>
<u>Steve Rigby--Plateau Mining Company</u>	<u>Joe Helfrich--Division Oil, Gas & Mining</u>
	<u>Denise Dragoo--DOGM</u>
<u>Floyd Tucker--Plateau Mining Company</u>	<u>Ron Daniels--DOGM</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 10</u>	<u>\$ 400.00</u>
<u>2 of 10</u>	<u>400.00</u>
<u>3 of 10</u>	<u>280.00</u>
<u>4 of 10</u>	<u>170.00</u>
<u>5 of 10</u>	<u>170.00</u>
<u>6 of 10</u>	<u>170.00</u>
<u>7 of 10</u>	<u>70.00</u>
<u>8 of 10</u>	<u>70.00</u>
<u>9 of 10</u>	<u>70.00</u>
<u>10 of 10</u>	<u>120.00</u>
<u>Total Penalty</u>	<u>\$ 1,920.00</u>

Approved: *Ron Daniels* Date: 12/17/80
 (Signature of Conference Officer)

This assessment has been set as a result of an informal conference held by the assessment officer. Should the Company desire a review in a more formal proceeding before the Board of Oil, Gas & Mining, a hearing can be requested within 30 days of receipt of this report.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N80-1-1-10

Violation 1 of 10

(a) Nature of violation: MC 717.17(j)(1) Sediment Control

(b) Date of termination: September 24, 1980

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>0</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>10</u>	<u>10</u>
Extent of Damage	<u>8</u>	<u>8</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>7</u>	<u>7</u>
(d) Good Faith	<u>-10</u>	<u>-10</u>
(e) Acreage	<u>15</u>	<u>15</u>
TOTAL	<u>30</u>	<u>30</u>

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

N.A.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N80-1-1-10

Violation 2 of 10

(a) Nature of violation: Sediment Control (pond lacking)

(b) Date of termination: September 24, 1980

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	<u>0</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>10</u>	<u>10</u>
Extent of Damage	<u>8</u>	<u>8</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>7</u>	<u>7</u>
(d) Good Faith	<u>-10</u>	<u>-10</u>
(e) Acreage	<u>15</u>	<u>15</u>
TOTAL	<u>30</u>	<u>30</u>

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

N.A.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N80-1-1-10

Violation 3 of 10

(a) Nature of violation: Sediment Control (pond needed)

(b) Date of termination: September 24, 1980

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>0</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>10</u>	<u>10</u>
Extent of Damage	<u>8</u>	<u>8</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>1</u>	<u>1</u>
(d) Good Faith	<u>-10</u>	<u>-10</u>
(e) Acreage	<u>15</u>	<u>15</u>
TOTAL	<u>24</u>	<u>24</u>

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

N.A.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N80-1-1-10

Violation 4 of 10

(a) Nature of violation: Topsoil Protection

(b) Date of termination: September 24, 1980

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>0</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>10</u>	<u>5</u>
Extent of Damage	<u>0</u>	<u>0</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>7</u>	<u>7</u>
(d) Good Faith	<u>-10</u>	<u>-10</u>
(e) Acreage	<u>15</u>	<u>15</u>
TOTAL	<u>22</u>	<u>17</u>

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

The event which could have occurred was judged to be delay in revegetation and the probability of that occurrence was judged to be unlikely.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N80-1-1-10

Violation 5 of 10

(a) Nature of violation: Topsóil Protection

(b) Date of termination: September 24, 1980

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>0</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>10</u>	<u>5</u>
Extent of Damage	<u>0</u>	<u>0</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>7</u>	<u>7</u>
(d) Good Faith	<u>-10</u>	<u>-10</u>
(e) Acreage	<u>15</u>	<u>15</u>
TOTAL	<u>22</u>	<u>17</u>

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

Same as Violation 4 of 10

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N80-1-1-10

Violation 6 of 10

(a) Nature of violation: Topsoil Protection

(b) Date of termination: September 24, 1980

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>0</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>10</u>	<u>5</u>
Extent of Damage	<u>0</u>	<u>0</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>7</u>	<u>7</u>
(d) Good Faith	<u>-10</u>	<u>-10</u>
(e) Acreage	<u>15</u>	<u>15</u>
TOTAL	<u>22</u>	<u>17</u>

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

Same as Violation 4 of 10

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N80-1-1-10

Violation 7 of 10

(a) Nature of violation: Failure to Monitor Discharge

(b) Date of termination: September 24, 1980

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>0</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>5</u>	<u>5</u>
Extent of Damage	<u>0</u>	<u>0</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>2</u>	<u>2</u>
(d) Good Faith	<u>-15</u>	<u>-15</u>
(e) Acreage	<u>15</u>	<u>15</u>
TOTAL	<u>7</u>	<u>7</u>

3. Narrative:
(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

N.A.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N80-1-1-10

Violation 8 of 10

(a) Nature of violation: Failure to Survey Springs

(b) Date of termination: September 24, 1980

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>0</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>5</u>	<u>5</u>
Extent of Damage	<u>0</u>	<u>0</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>2</u>	<u>2</u>
(d) Good Faith	<u>-10</u>	<u>-10</u>
(e) Acreage	<u>15</u>	<u>15</u>
TOTAL	<u>7</u>	<u>7</u>

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

N.A.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N80-1-1-10

Violation 9 of 10

(a) Nature of violation: Failure to Report Water Quality Data

(b) Date of termination: September 24, 1980

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>0</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>5</u>	<u>5</u>
Extent of Damage	<u>0</u>	<u>0</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>2</u>	<u>2</u>
(d) Good Faith	<u>-10</u>	<u>-10</u>
(e) Acreage	<u>15</u>	<u>15</u>
TOTAL	<u>7</u>	<u>7</u>

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

N.A.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N80-1-1-10

Violation 10 of 10

(a) Nature of violation: Operating without a Permit--Mudwater Canyon

(b) Date of termination: September 24, 1980

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	<u>0</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>5</u>	<u>5</u>
Extent of Damage	<u>0</u>	<u>0</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>7</u>	<u>12</u>
(d) Good Faith	<u>-10</u>	<u>-10</u>
(e) Acreage	<u>15</u>	<u>15</u>
TOTAL	<u>17</u>	<u>12</u>

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

The operator did have Federal approval to establish a portal in Mudwater Canyon. He, thus, assumed that a State contact had been made.

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space reverse.

1. The following service is requested (check one.)
 Show to whom and date delivered.....
 Show to whom, date and address of delivery.....
 RESTRICTED DELIVERY
 Show to whom and date delivered.....
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: *BTM*
BEN GRIMES - PLATEAU
P.O. Box PMC
PRICE, UT 84501 *BTM*

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 5777477

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
Jack Bergin

4. DATE OF DELIVERY: *12-15-80* POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S BUSINESS

RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

P07 5777477

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

SENT TO: *BEN GRIMES - PLATEAU*
 STREET AND NO.: *P.O. Box PMC*
 P.O. STATE AND ZIP CODE: *PRICE, UT 84501*

POSTAGE \$

CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	\$
	SPECIAL DELIVERY	\$
	RESTRICTED DELIVERY	\$
	OPTIONAL SERVICES	
	RETURN RECEIPT SERVICE	\$
	SHOW TO WHOM AND DATE DELIVERED	\$
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	\$
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	\$
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	\$
TOTAL POSTAGE AND FEES		\$

POSTMARK OR DATE: *12-16-80*

ACT/007/006

P.S. Form 3800, Apr. 1976

UNITED STATES POSTAL SERVICE
 OFFICIAL BUSINESS

SENDER INSTRUCTIONS
 Print your name, address, and ZIP Code in the space below.
 • Complete items 1, 2, and 3 on the reverse.
 • Attach to front of article if space permits, otherwise affix to back of article.
 • Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO



State of Utah
 Department of Natural Resources
 Division of Oil, Gas, & Mining
 1500 West North Temple
 Salt Lake City, Utah 84119

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)



PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300

- STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**
- If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
 - If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
 - If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
 - If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
 - Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
 - Save this receipt and present it if you make inquiry.